

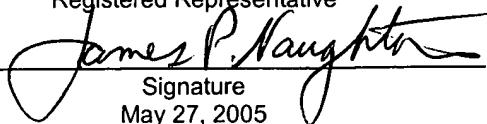
I hereby certify that this correspondence is being sent facsimile to 703-872-9306, as well as being deposited with the United States Postal Service, with sufficient postage, as Express Mail No. EV314905455US in an envelope addressed to:

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
on May 27, 2005

\_\_\_\_\_  
Date of Deposit

\_\_\_\_\_  
James P. Naughton

\_\_\_\_\_  
Name of applicant, assignee or  
Registered Representative



\_\_\_\_\_  
Signature  
May 27, 2005

\_\_\_\_\_  
Date of Signature

Our Case No. 9623/656

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|   |   |                              |
|---|---|------------------------------|
| In re Application of:                       | ) |                              |
| William T. Gross                            | ) |                              |
| Serial No.: 09/765,270                      | ) | Examiner: James S. McClellan |
| Filing Date: January 18, 2001               | ) | Group Art Unit No.: 3627     |
| For: SYSTEM AND METHOD FOR<br>RANKING ITEMS | ) |                              |

## AMENDMENT AND RESPONSE AFTER FINAL OFFICE ACTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is timely filed on May 27, 2005 in response to the April 6, 2005 Office Action, which was designated final. Following the telephone discussion between the Examiner and Applicant's undersigned attorney on May 17, 2005, Applicant requests reconsideration of this application in view of the following amendments and remarks.



5-31-05

AP/3622  
JMW

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

hereby certify that this correspondence is being sent via facsimile to 703-872-9306, as well as being deposited with the United States Postal Service, with sufficient postage, as Express Mail No. EV314905455US in an envelope addressed to: MS Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date: Date: May 27, 2005 Name: James P. Naughton Signature: *James P. Naughton*

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William T. Gross

Serial No.: 09/765,270

Examiner: James S. McClellan

Filed: January 18, 2001

Group Art Unit No. 3627

For: SYSTEM AND METHOD FOR  
RANKING ITEMS

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached are:

Transmittal Letter; Amendment and Response After Final Office Action;  
 Return Receipt Postcard

Fee calculation:

No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$\_\_\_\_ under 37 C.F.R. § 1.17\_\_\_\_.  
 An additional filing fee has been calculated as shown below:

|   | Claims Remaining<br>After Amendment |       | Highest No.<br>Previously Paid For | Present<br>Extra | Small Entity |           | Not a Small Entity |          |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|----------|
|   |                                     |       |                                    |                  | Rate         | Add'l Fee | or                 | Rate     |
| Total                                     |                                     | Minus |                                    |                  | x \$25=      |           |                    | x \$50=  |
| Indep.                                    |                                     | Minus |                                    |                  | x 100=       |           |                    | x \$200= |
| First Presentation of Multiple Dep. Claim |                                     |       |                                    |                  | +\$180=      |           |                    | +\$360=  |
|   |                                     |       |                                    |                  | Total        | \$        | Total              | \$       |

Fee payment:

A check in the amount of \$\_\_\_\_ to cover the above-identified fee(s) is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

*James P. Naughton*  
James P. Naughton (Reg. No. 30,665)

May 27, 2005  
Date